

ONEIDA COUNTY PLANNING and DEVELOPMENT COMMITTEE
APRIL 12, 2017
COMMITTEE ROOM #2 – 2ND FLOOR
ONEIDA COUNTY COURTHOUSE
RHINELANDER, WI 54501

Members present: Scott Holewinski, Billy Fried, Mike Timmons, and Dave Hintz

Members absent: Jack Sorensen

Department staff present: Karl Jennrich, Director; Pete Wegner, Assistant Director; and Julie Petraitis, Program Assistant

Other county staff present: Brian Desmond, Corporation Counsel

Guests present: See sign in sheet.

Call to order.

Chairman Scott Holewinski called the meeting to order at 12:00 p.m., in accordance with the Wisconsin Open Meeting Law.

Approve the agenda.

Motion by Billy Fried, second by Dave Hintz to approve the Amended Agenda. With all members present voting “aye”, the motion carried.

It is anticipated that the committee may meet in closed session pursuant to Wisconsin Statutes, Section 19.85 (1)(g), conferring with legal counsel concerning strategy to be adopted by the governmental body with respect to litigation in which it is or is likely to become involved. A roll call vote will be taken to go into closed session.

- a. Junkyard complaint in the Town of Newbold.
- b. Junkyard complaint in the Town of Crescent.
- c. Junkyard complaint in the Town of Pine Lake.
- d. Closed session minutes of March 22, 2017.

Motion by Billy Fried, second by Scott Holewinski to go into closed session. With all member voting “aye”, on roll call vote the motion carried.

A roll call vote will be taken to return to open session.

Motion by Billy Fried, second by Dave Hintz to return to open session. With all members voting “aye”, on roll call vote the motion carried.

Announcement of any action taken in closed session.

- a. No action.

- b. Motion by Mike Timmons, second by Dave Hintz to file a long form complaint on the Crescent junkyard complaint. **Aye: Unanimous.**
- c. No action.
- d. Motion by Billy Fried, second by Dave Hintz to approve closed session meeting minutes of March 22, 2017. **Aye: Unanimous.**

Public comments. **None.**

Approve meeting minutes of March 22, 2017.

Motion by Mike Timmons, second by Billy Fried to approve the meeting minutes of March 22, 2017 as submitted. With all members present voting “aye”, the motion carried.

Ordinance Amendment #2-2017, Section 9.70, Highway Setbacks. The committee will be reviewing and forwarding Resolution #2-2017 to the Oneida County Board of Supervisors.

Motion by Billy Fried, second by Dave Hintz to approve Ordinance Amendment #2-2017 and forward to the Oneida County Board of Supervisors for their consideration. With all members present voting “aye”, the motion carried.

Ordinance Amendment #3-2017, Section 9.26, Business B-1(District 6) and Business B-2 (District 7). The committee will be reviewing and forwarding Resolution #3-2017 to the Oneida County Board of Supervisors.

Motion by Dave Hintz, second by Mike Timmons to approve Ordinance Amendment #3-2017 and forward to the Oneida County Board of Supervisors for their consideration. With all members present voting “aye”, the motion carried.

Ordinance Amendment #1-2017, Revisions to Chapter 9, Article 9 and 10 as proposed during the March 22, 2017, Planning and Development Committee meeting.

Motion by Scott Holewinski, second by Dave Hintz to change the language in Article 9 – Shoreland Protection Provisions A 1 (h) (1) to read: For lakes less than 400 500 acres, the maximum width of a new boathouse shall not exceed 14 feet and depth shall not exceed 30 feet for a total of 336 square feet. (2) For lakes of 100 500 acres or more, the maximum width of a new boathouse shall not exceed 24 feet by 30 feet wide for a total of 720 square feet.

(i) The maximum total footprint shall be as follows:

- (1) For lakes less than 100 acres, new boathouses shall not exceed a maximum footprint (excluding overhangs) of 336 square feet.
- (2) For lakes of 100 acres or more, new boathouses shall not exceed a maximum footprint (excluding overhangs) of 720 square feet.

With three (3) members present voting “aye”, and one (1) member voting “nay”, the motion carried.

Motion by Dave Hintz, second by Billy Fried to add the following language to Section 9.94 A.

1. (h) The maximum width and footprint of a new boathouse parallel to the OHWM shall not exceed the following: (overhang and eaves are not included in the maximum width or footprint and shall not exceed two feet).

- (1) For lakes less than 500 acres, rivers (excluding the Wisconsin River) and streams the maximum width of a new boathouse shall not exceed 14 feet or a maximum footprint of 336 sq. ft.

(2) For lakes of 500 acres or more, Flowages, Chains and the Wisconsin River the maximum width of a new boathouse shall not exceed 24 feet or a maximum footprint of 720 square feet.

(3) With all members present voting “aye”, the motion carried.

Motion by Billy Fried, second by Dave Hintz to add the Land Information Office as the data source for the lake sizes. With all members present voting “aye”, the motion carried.

Note: Lake size based on Land Information Data.

Section 9.94 (G) Height.

Motion by Mike Timmons, second by Dave Hintz to approve the following language regarding height: Height Limit Restrictions. All structures located within 75’ of the OHWM. No principal or accessory structure located within 75 feet of the ordinary high-water mark (OHWM) of any navigable waters shall exceed 35 feet in height. See Article 10 definitions.

B. Height Limit Restrictions. Principal and accessory structures located greater than 75 ft from the OHWM. See Article 10 definitions. **With all members present voting “aye”, the motion carried.**

9.97 Shoreyard Alteration Permits and Filling, Grading, Lagooning, Dredging, Ditching and Excavating.

Motion by Mike Timmons, second by Dave Hintz to add language to 9.97C (2) as follows: b. Alterations greater than 35 ft but less than 75 ft from the OHWM that slope towards the ordinary high water mar of a navigable water body, when the slope is between 25% to 45%; and d. The Zoning Director upon review of a completed shoreyard alteration permit may waive the registered professional engineer or landscape architect plan requirement and as a substitute required special restrictions and conditions to ensure proper erosion control measures will be implemented before, during and after construction excavation.

With all members present voting “aye”, the motion carried.

Article 10 – Definitions:

Motion by Mike Timmons, second by Dave Hintz to approve the language changes to Article 10-Definitions, as follows: Building Height (structures located less than 75ft from the OHWM): is the measurement of the vertical line segment starting at the lowest point of any exposed wall and it’s intersect with the ground (Point A in the following diagram) to a line horizontal to the highest point of a structure (Point B in the following diagram), unless specified under other sections of this code.

Building Height (principal and accessory structures located greater than 75ft from the OHWM): defined as: (A) the measurement from the lowest exposed point of finished grade to eave, PLUS (B) the measurement from the lowest exposed point of finished grade to the highest roof point. A+B=C/2 will give you height of the building.

Percent Slope (does not involve the placement of a structure): The difference in existing elevation from (a) the point of land disturbance closest to the OHWM and (b) the point of the land

disturbance farthest from the OHWM (rise), divided by (c) the horizontal distance between the two points (run) multiplied by 100. (Rise over run x 100).

Percent Slope (for the placement of structures): The difference in existing elevation from highest elevation to the lowest elevation measured over the footprint of the structure. (a) the lowest point of land disturbance from that point of the structures footprint closest to the OHWM and (b) the highest point of the land disturbance from that point of the structures footprint farthest from the OHWM (rise), divided by (c) the horizontal distance between the two points (a and b) of the footprint (run) multiplied by 100. (Rise over run x 100).

Note: For proposed walkout or partially exposed basements/foundations sloping toward the OHWM, (a)=the lowest point of land disturbance closest to the OHWM.

With all members present voting “aye”, the motion carried.

Article 3 – Zoning, Administrative Review, and Sanitary Permits

9.33 Exceptions to Zoning Permit Requirement

A. New Structure (Costs under \$2,500)

(3). Driveways, sidewalks and walkways, greater than 5’ from the OHWM provided they meet the impervious requirements of the ordinance.

Motion by Dave Hintz, second by Billy Fried to approve the change in 9.33 A (3) above. With all members present voting “nay”, the motion failed.

Motion by Dave Hintz, second by Mike Timmons to approve the language in Section 9.33 A (3) above and change 9.33 B to read: Existing Structure (Alterations under ~~\$5,000~~ \$2,500). With all members present voting “aye”, the motion carried.

General Zoning/Shoreland Zoning. The committee will be discussing the application of general zoning in the shoreland zone in the unzoned towns of Monico, Enterprise, and Sugar Camp.

Mr. Jennrich stated that the way Chapter 9 is written, as of today, the general zoning provisions would only apply in the zoned towns and language concerning the two lakes in Sugar Camp will be added.

Discuss fees and permit applications and requirements. The committee discussed the fee schedule changes. The fee for a boathouses was changed from .20 per square foot to a flat \$150.00.

A shoreland alteration permit /shoreyard alteration permit as changed from \$150.00 to \$250.00 and \$350.00 based on ordinance language. An appeal to the Board of Adjustment changed from \$500.00 to \$750.00. Staff onsite inspections changed from \$125.00 to \$250.00 and from \$125.00 to \$250.00 for each return inspection. An impervious surface fee of > 15% onsite of \$150.00. A review/approval of treated impervious surface area of \$150.0 was added and Mitigation plan review of \$150.00. was added.

Motion by Mike Timmons, second by Billy Fried to approve the changes to the Application Review Fee Schedule as proposed. With all members present voting “aye”, the motion carried.

Refunds. There is a refund request of \$53for overpayment on a permit. **Motion by Scott Holewinski, second by Dave Hintz to approve the refund as requested. With three members voting “aye”, and one member abstaining the motion carried.**

There is a request for a refund of \$125.00 for an onsite that was cancelled by the owner. **Motion by Mike Timmons, second by Dave Hintz to approve the refund request. With all members present voting “aye”, the motion carried.**

Refund request by Teschendorf and Schrock. Staff is suggesting a refund of \$138.00 of the \$338.00 paid.

Motion by Billy Fried, second by Dave Hintz to refund \$138.00 as staff suggested. With all members present voting “aye”, the motion carried.

Line item transfers, purchase orders, and bills. **Motion by Scott Holewinski, second by Dave Hintz to approve the purchase orders and bills as submitted. With all members present voting “aye”, the motion carried.**

Approve future meeting dates: **April 19, April 27, and May 3.**

Public comments. **Bob Williams spoke.**

Future agenda items. **As discussed.**

Adjourn.

2:15 p.m. There being no further matters to lawfully come before the Committee, a motion was made by Mike Timmons, second by Dave Hintz to adjourn the meeting. With all members present voting “aye”, the motion carried.

Chairman Scott Holewinski

Karl Jennrich
Planning & Zoning Director